

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Neil P. DESAI et al.

Application No.: 09/847,945

Filing Date: May 2, 2001

For: COMPOSITIONS AND METHODS FOR
TREATMENT OF HYPERPLASIA

Examiner: L. Channavajjala

Group Art Unit: 1611

Confirmation No.: 6174

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of U.S. Patent Application Nos. 11/553,339 filed December 26, 2006, for Desai et al.; US Patent Application No.12/334,115 filed December 12, 2008, for Desai et al.; US Patent Application No.12/402,358 filed March 11, 2009, for De et al.; US Patent Application No. 12/422,011, filed April 10, 2009, for Desai et al.; US Patent Application No.12/422,192 filed April 10, 2009, for Desai et al.; US Patent Application No.12/519,126 filed December 14, 2007, for Desai et al.; and US Patent Application No.12/530,188 filed March 7, 2008, for Desai et al. (documents numbered 1-7) on the attached Form PTO/SB/08a/b are not included herewith. This protocol conforms with the waiver of the requirements under 37 CFR §1.98 to provide copies of pending U.S. Patent Applications. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ With the filing of a Request for Continued Examination under 37 C.F.R. § 1.114; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. Accordingly, a Fee Transmittal Form (PTO/SB/17) is attached to this submission.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the Issue Fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal Form (PTO/SB/17) is attached to this submission.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 638772000127.

Dated: October 14, 2009

Respectfully submitted,

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